

United States District Court  
Western District of New York

DEFENDANTS' TRIAL EXHIBIT LIST

Case No. 16-CV-06313

Date: August 10, 2021

Presiding Judge: Hon. Elizabeth A. Wolford

( ) Plaintiff (X) Defendants ( ) Court

Exhibit No.	Depo. Exhibit No.	Date	Exhibit Description	Marked for Identification	Admitted Into Evidence	Remarks	Witness
400	35	10/27/2015	EEOC Notice of Charge of Discrimination and Mary Piehler Affidavit DEFS00192 – DEFS00199				
401		04/21/2016	EEOC Notice of Charge of Discrimination and Mary Piehler Affidavit				
402	1	7/24/2017	Plaintiff's Amended Complaint and Demand for Jury Trial				
403		04/30/2020	Affirmation of Mary Van Brunt-Piehler in Opposition to Summary Judgment Motion, Dkt. 156				
404	2	N/A	Mary Piehler Resume DEFS00056 – DEFS00057				
405	39	N/A	Kurt R. Luporini Resume DEFS10618 – DEFS10620				

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406	43	N/A	Randall V. Dye Resume DEFS08692 – DEFS08693				
407	48	N/A	Joseph Morini Resume DEFS09139 – DEFS09141				
408	4	N/A	Collection of Resumes P001204 – P1206; P001332 – P001336; P001563 – P001564; P001682 – P001683; P001617 – P001620; P001725 – P001727; P001741 – P001742; P001746; P001752 – P001754; P001762 – P001763				
409			Susan Dibiase Lutz Resume DEFS07719 – DEFS07720; DEFS07425				
410	92	7/1/2015	Letter with attachment to Mary Piehler DEFS00939 – DEFS00940; DEFS00942 – DEFS0946				
411	5	7/1/2015	Notes on Termination/Notification Meeting drafted by Catherine Majane DEFS00706 – DEFS00707				
412	3	N/A	Absolute Software Northeast Region Q4 PMP, April 2013 P001476 – P001501				
413	100	11/1/2007	Absolute Software Code of Business Conduct Policy Manual – Revised August 8, 2012 DEFS01896 – DEFS01923				

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414	131	10/25/2013	Bailey Lammering Employee Referral Form DEFS08220				
415		3/26/2021	Press Release: Absolute Software Included in The Globe and Mail's Second Annual 'Women Lead Here' Benchmark of Executive Gender Diversity				
416		10/24/2016	Plaintiff's Responses to Defendants' First Set of Interrogatories				
417		11/22/2017	Plaintiff's Amended Objections and Responses to Defendants' Interrogatories Nos. 2, 3, 4, and 15				
418		12/29/2010	Absolute letter to Amy Rathbun regarding position change from Account Executive to Regional Director DEFS08190 – DEFS08191				
419	124	11/4/2011	Email communication from Amy Rathbun to Ryan Sparks, Mary Piehler, Mark Lund with Janet Brazel and Jason Duda cc'd				
420	7	3/2/2013	Email communication from Mary Piehler to Jermaine Maldonado DEFS00747 – DEFS00753				
421	8	4/5/2013	Email communication from Mary Piehler to Todd Awtry DEFS00774				

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422	115	7/19/2013	Email communication from Amy Rathbun to Leigh Ramsden				
423	127	1/24/2014	Email communication form Amy Rathbun to Warren Young				
424		2/22/2014	Email communication from Mark Kelly to Mary Piehler DEFS08886 – DEFS08889				
425		3/25/2014	Email communication from Mary Piehler to Felicia Kittner with Soctt Barker and Paula Esporias cc'd P000257 – P000259				
426	15	6/26/2014	Email communication from Mary Piehler to Todd Awtry DEFS01030 – DEFS01035				
427	49	6/26/2014	Email communication from Thomas Kenny to Leigh Ramsden, Matt Meanchoff, Todd Awtry, Michael Kenny DEFS01044 – DEFS01047				
428		6/26/2014	Email communication with attachment from Todd Awtry to Michael Kenny and Matt Meanchoff with Leigh Ramsden cc'd DEFS07068 – DEFS07075				

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429		6/26/2014	Email communication from Leigh Ramsden to Thomas Kenny, Matt Meanchoff, Todd Awtry and Michael Kenny DEFS01036 – DEFS01039				
430		6/26/2014	Email communication from Leigh Ramsden to Todd Awtry, Michael Kenny, Matt Meanchoff, Daniel Berardo, Caroline Nelson DEFS07173 – DEFS07174				
431	122	6/27/2014	Email communication from Colleen Crump to Amy Rathbun				
432	14	6/27/2014	Email communication from Mary Piehler to Leigh Ramsden DEFS06434				
433	73	6/27/2014	Email communication from Caroline Nelson to Todd Awtry, Leigh Ramsden, Michael Kenny, Matt Meanchoff, Daniel Berardo DEFS07234 – DEFS07235				
434	74	6/27/2014	Email communication from Caroline Nelson to Todd Awtry, Daniel Berardo, Leigh Ramsden, with Michael Kenny, Thomas Kenny cc'd DEFS07250 – DEFS07252				
435		6/27/2014	Email communication from Mary Piehler to Todd Awtry and Leigh Ramsden P000237				

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436		6/27/2014	Email communication from Leigh Ramsden to Caroline Nelson, Daniel Berardo, Todd Awtry, Michael Kenny, Matt Meanchoff DEFS09243 – DEFS09244				
437		6/30/2014	Email communication from Leigh Ramsden to Irwin Tang DEFS07219				
438		6/30/2014	Email communication from Todd Awtry to Mary Piehler, with Daniel Berardo, Caroline Nelson, Leigh Ramsden cc'd DEFS00135 – DEFS00136				
439	20	6/30/2014	Email communication from Mary Piehler to Daniel Berardo P000697				
440		7/1/2014	Email communication from Mary Piehler to Dave Kucharczyk DEFS02683 – DEFS02687				
441		7/2/2014	Email communication from Todd Awtry to Daniel Berardo, with Errol Olsen, Thomas Kenny cc'd DEFS00775 – DEFS00777				

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442	21	7/6/2014	Email communication from Mary Piehler to Daniel Berardo P000811 – P000819				
443	17	7/17/2014	Email communication from Mary Piehler to Daniel Berardo DEFS02583 – DEFS02589				
444		7/22/2014	Email communication from Todd Awtry to Mary Piehler with Michael Kenny cc'd DEFS08885				
445	22	8/11/2014	Email communication from Daniel Berardo to Mary Piehler DEFS02549 – DEFS02554				
446		8/13/2014	Email communication from Irwin Tang to Leigh Ramsden, Todd Awtry DEFS00927 – DEFS0928				
447	86	8/15/2014	Email communication from Todd Awtry to Baniel Berardo DEFS08824 – DEFS08830				
448		8/18/2014	Email communication from Michael Kenny to Mary Piehler, Todd Awtry, with Irwin Tang and Leigh Ramsden cc'd DEFS01169 – DEFS01175				

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449		8/26/2014	Email communication from Mary Piehler to Todd Awtry DEFS02543 – DEFS02545	634			
450		9/3/2014	Email communication from Mary Piehler to Todd Awtry DEFS02506 – DEFS02507				
451	9	9/15/2014	Email communication from Mary Piehler to Todd Awtry DEFS00780 – DEFS00781				
452	13	9/18/2014	Email communication from Todd Awtry to Mary Piehler DEFS00786 – DEFS00788				
453	19	9/23/2014	Email communication from Mary Piehler to cspringgay@absolute.com P000765				
454		9/23/2014	Email communication from Leigh Ramsden to Todd Awtry DEFS01371 – DEFS01374				
455		9/23/2014	Email communication from Todd Awtry to Thomas Kenny DEFS00789 – DEFS00793				



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456		09/24/2014	Email communication from Leigh Ramsden to Irwin Tang, Todd Awtry, with Michael Kenny cc'd DEFS01363 – DEFS01365				
457		09/23/2014	Email communication from Thomas Kenny to Todd Awtry DEFS01268 – DEFS01275				
458	116	10/8/2014	Email communication from Todd Awtry to Amy Rathbun				
459	117	12/1/2014	Email communication from Todd Awtry to Amy Rathbun				
460	118	12/1/2014	Email communication from Todd Awtry to Amy Rathbun				
461	114	12/16/2014	Email communication from Amy Rathbun to Todd Awtry				
462		12/30/2014	Email communication from Michael Kenny to Teena Mola DEFS05831 – DEFS05834				
463	111	1/6/2015	Email communication from Amy Rathbun to Geoff Haydon				
464		1/9/2015	Email communication from Leigh Ramsden to Todd Awtry with Teena Mola cc'd DEFS04008 – DEFS04010				

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465		1/9/2015	Email communication from Todd Awtry to Teena Mola and Leigh Ramsden DEFS04013 – DEFS04016				
466		1/9/2015	Email communication from Mary Piehler to Teena Mola DEFS0417 – DEFS04019				
467		1/12/2015	Email communication from Teena Mola to Daniel Berardo DEFS04127 – DEFS04130				
468		1/12/2015	Email communication from Teena Mola to Daniel Berardo DEFS04131 – DEFS04134				
469	16	1/12/2015	Email communication from Mary Piehler to Todd Awtry, Daniel Berardo, Caroline Nelson, Leigh Ramsden, Michael Kenny DEFS02735 – DEFS02738				
470		1/14/2015	Email communication from Teena Mola to Daniel Berardo DEFS04121 – DEFS04126				
471	112	1/29/2015	Email communication from Geoff Haydon to Amy Rathbun				
472	113	2/11/2015	Email communication from Amy Rathbun to Todd Awtry				

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473	121	2/18/2015	Email communication from Amy Rathbun to Thomas Kenny with Todd Awtry cc'd				
474		2/20/2015	Email communication from Yvonne Wu to Daniel Berardo with Todd Awtry DEFS00765 – DEFS0768				
475		3/23/2015	Absolute letter to Amy Rathburn regarding position change from Regional Director to Area Vice President, Sales DEFS08250 – DEFS08252				
476	84	3/24/2015	Email communication from Todd Awtry to Geoff Haydon DEFS06052 – DEFS06054				
477		3/24/2015	Email communication from Todd Awtry to Amy Rathburn with Thomas Kenney, Daniel Berardo, Teena Mola and Yvonne Wu cc'd DEFS01506 – DEFS01509				
478		4/1/2015	Email communication from Warren Young to Mary Piehler DEFS02813 – DEFS02818				
479		4/4/2015	Email communication from Mary Piehler to Mary Piehler DEFS02464 – DEFS02465				

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480		4/5/2015	Email communication from Michael Kenny to Todd Awtry with Thomas Kenny cc'd DEFS01082 – DEFS01083				
481		4/7/2015	Email communication from Mary Piehler to Brian McArdie with Ted DiSalvo cc'd DEFS00778 – DEFS00779				
482		4/15/2015	Email communication from Mary Piehler to Mark Kelly DEFS00770 – DEFS00773				
483		4/28/2015	Email communication from Todd Awtry to Geoff Haydon DEFS06844 – DEFS06845				
484		5/18/2015	Email communication from Mary Piehler to Todd Awtry with Art Robinson and Michael Kenny cc'd DEFS00794 – DEFS00797				
485	109	5/22/2015	Email communication from Amy Rathbun to Geoff Haydon				
486	24	5/22/2015	Email communication from Mary Piehler to Todd Awtry with Daniel Berardo cc'd P000712 – P000715				

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487		5/22/2015	Email communication from Thomas Kenny to Todd Awtry DEFS07425 – DEFS07426				
488		5/25/2015	Email communication from Thomas Kenny to Todd Awtry DEFS07421 – DEFS07422				
489		5/25/2015	Email communication from Art Robinson to Todd Awtry DEFS01304 – DEFS01307				
490		5/27/2015	Email communication from Mary Piehler to Mark Kelly DEFS00782 – DEFS00783				
491	55	6/4/2015	Email communication from Geoff Haydon to Todd Awtry DEFS07585 – DEFS07590				
492		6/5/2015	Email communication from Mary Piehler to Brian McArdle, Ted DiSalvo DEFS00784 – DEFS00785				
493		6/10/2015	Email communication from Leigh Ramsden to Mary Piehler with Teena Mola and Todd Awtry cc'd DEFS08788 – DEFS08791				

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494		6/18/2015	Email communication from Thomas Kenny to Geoff Haydon				
495		6/22/2015	Email communication from Todd Awtry to Mary Piehler P000839 – P000840				
496	54	6/25/2015	Email communication from Geoff Haydon to Todd Awtry, Thomas Kenny DEFS07340 – DEFS07341				
497		6/26/2015	Email communication with attachment from David Fallon to Yvonne Wu DEFS06021 – DEFS06028				
498		6/26/2015	Email communication with attachment from Jermaine Maldonado to Todd Awtry DEFS10815 – DEFS10822				
499		6/29/2015	Email communication from Mary Piehler to Clinton Crawford P002215 – P002216				
500	119	7/17/2015	Email communication from Todd Awtry to Amy Rathbun				
501		7/28/2015	Email communication from Daniel Potter to Mary Piehler DEFS00755 – DEFS00758				

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502	26	10/6/2015	Email communication from noreply@candidates.workablemail.com to Mary Piehler  P000629 – P000630				
503	29	10/6/2015	Letter from Mary Piehler to Hiring Manager at Cylance re position of VP of Sales – Eastern Region  P000429				
504	30	10/8/2015	Email communication from hit-reply@linkedin.com to Mary Piehler  P000691				
505	110	11/6/2015	Email communication from Amy Rathbun to Geoff Haydon				
506	27	6/10/2016	Letter from Mary Piehler to Hiring Manager for NRG Recruiter Re application for position of Regional VP of Sales-East  P000375				
507	28	6/30/2016	Letter from Mary Piehler to Mr. Downs at MuleSoft Re application for position of Regional Sales Director, East Region  P000376				
508	128	10/19/2016	Email communication from Amy Rathbun to Scott Romig with Stephen Fisk cc'd				

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509	123	5/9/2019	Email communication from Amy Rathbun to Jon Ferris AR000038 – AR000041				
510		8/15/2011	FY11 Annual Review for Mary Piehler DEFS00088 – DEFS00096				
511		9/7/2012	FY12 Annual Review for Mary Piehler DEFS00102 – DEFS00107				
512	62	8/23/2013	Mary Piehler Performance Review for Review Period July 1, 2012 – June 30, 2013 DEFS00117 – DEFS00124				
513	63	1/22/2014	Mary Piehler Performance Review for Review Period July 1, 2013 – December 31, 2013 DEFS00125 – DEFS00133				
514	64	8/6/2014	Mary Piehler Performance Review for Review Period January 1, 2014 – June 30, 2014 DEFS00137 – DEFS00146				
515	65	8/8/2014	Mary Piehler letter disagreeing with rating regarding FY14 Annual Review DEFS00147 – DEFS000151				



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516	66	2/5/2015	Mary Piehler Semi-Annual Performance Review for Review Period July 1, 2014 – December 31, 2014 DEFS00152–DEFS00161				
517		8/15/2011	FY11 Annual Review for David Armstrong DEFS00627 – DEFS00635				
518		9/7/2012	FY12 Annual Review for David Armstrong DEFS08345 – DEFS08350				
519		8/23/2013	David Armstrong Performance Review for the Review Period July 1, 2012 – June 30, 2013 DEFS08351 – DEFS08356				
520		1/17/2014	David Armstrong Performance Review for the Review Period July 1, 2013 – December 31, 2013 DEFS08358 – DEFS08366				
521		8/6/2014	David Armstrong Performance Review for the Review Period January 1, 2014 – June 30, 2014 DEFS08367 – DEFS08375				
522		9/7/2012	FY12 Annual Review for Amy Rathbun DEFS08202 – DEFS08206				

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523		8/23/2013	Amy Rathbun Performance Review for the Review Period July 1, 2012 – June 30, 2013 DEFS08207 – DEFS08212				
524		1/17/2014	Amy Rathbun Performance Review for the Review Period July 1, 2013 – December 31, 2013 DEFS08221 – DEFS08228				
525		8/12/2014	Amy Rathbun Performance Review for the Review Period January 1, 2014 – June 30, 2014 DEFS08229 – DEFS08237				
526		2/5/2015	Amy Rathbun Performance Review for the Review Period July 1, 2014 – December 31, 2014 DEFS08241 – DEFS08249				
527		7/1/2015	Amy Rathbun Performance Review for the Review Period January 1, 2015 – June 30, 2015 DEFS08253 – DEFS08261				
528		8/15/2011	FY11 Annual Review for Art Robinson DEFS08271 – DEFS08280				
529		9/7/2012	FY12 Annual Review for Art Robinson DEFS08286 – DEFS08291				

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530		8/23/2013	Art Robinson Performance Review for the Review Period July 1, 2012 – June 30, 2013 DEFS08292 – DEFS08296				
531		1/14/2014	Art Robinson Performance Review for the Review Period July 1, 2013 – December 31, 2013 DEFS08303 – DEFS08311				
532		8/15/2014	Art Robinson Performance Review for the Review Period January 1, 2014 – June 30, 2014 DEFS08312 – DEFS08320				
533		2/4/2015	Art Robinson Performance Review for the Review Period July 1, 2014 – December 31, 2014 DEFS08322 – DEFS08330				
534		8/10/2015	Art Robinson Performance Review for the Review Period January 1, 2015 – June 30, 2015 DEFS08332 – DEFS08340				
535		8/15/2011	FY11 Annual Review for Warren Young DEFS08539 – DEFS08552				
536		9/7/2012	FY12 Annual Review for Warren Young DEFS08555 – DEFS08559				

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537		8/23/2013	Warren Young Performance Review for the Review Period July 1, 2012 – June 30, 2013 DEFS08565 – DEFS08570				
538		1/14/2014	Warren Young Performance Review for the Review Period July 1, 2013 – December 31, 2013 DEFS08571 – DEFS08578				
539		8/12/2014	Warren Young Performance Review for the Review Period January 1, 2014 – June 30, 2014 DEFS08579 – DEFS08587				
540		2/5/2015	Warren Young Performance Review for the Review Period July 1, 2014 – December 31, 2014 DEFS08588 – DEFS08596				
541		8/10/2015	Warren Young Performance Review for the Review Period January 1, 2015 – June 30, 2015 DEFS09161 – DEFS09168				
542		2/28/2017	Deposition Transcript of Christopher Covell				
543		3/5/2018	Deposition Transcript of Mary Van Brunt-Piehler taken for <i>Piehler v. Absolute Software</i>				
544		3/21/2019	Deposition Transcript of Thomas Kenny				
545		3/22/2019	Deposition Transcript of Geoff Haydon				
546		4/5/2019	Deposition Transcript of Todd Awtry				

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547		5/8/2019	Deposition Transcript of Daniel Berardo				
548		5/9/2019	Deposition Transcript of Errol Olsen				
549		6/6/2019	Deposition Transcript of Amy Rathbun				
550		5/31/2019	Deposition Transcript of Art Robinson				
551		9/10/2019	Deposition Transcript of Todd Awtry				
552		9/18/2019	Deposition Transcript of Daniel Berardo				
553		6/7/2021	Deposition Transcript of Paul F. White, Ph.D.				
554		3/1/2021	Employability Report of Mary Van Brunt-Piehlner Prepared by Rona E. Wexler				
555			Occupational Employment Statistics, May 2016, Bureau of Labor Statistics				
556		5/24/2018	Geographic Profile of Employment and Unemployment, 2015, Bureau of Labor Statistics, Table 26				
557		4/26/2021	Bureau of Labor Statistics, U.S. Department of Labor, Occupational Outlook Handbook, Sales Engineers, at <a href="https://www.bls.gov/ooh/sales/sales-engineers.htm">https://www.bls.gov/ooh/sales/sales-engineers.htm</a>				
558		N/A	Business Software and Services Market Size, Share & Trends Analysis Report By Software, By Service, By Deployment, By End-use, By Enterprise Size, By Region, and Segment Forecasts, 2021 – 2028, Published April 2021				

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559		6/7/2019	U.S. Tech Unemployment Rate at Record Low, CompTIA Analysis Reveals, www.prnewswire.com				
560		5/2/2017	Tech's Unemployment Rate Held Level in Q1, www.dice.com				
561		N/A	IRS Form W-2s of Joseph Morini for 2015-2017 DEFS08150; DEFS10889; DEFS10896 – DEFS10897				
562		7/2/2015	Employment Offer Letter and Non-Disclosure Agreement to Joseph Morini DEFS00006 – DEFS000010				
563		N/A	Paystubs of Joseph Morini DEFS10762 – DEFS10769; DEFS10919 – DEFS10925				
564		8/23/2016	Letter from Geoff Haydon to Joseph Morini reflecting a single restricted stock grant of 1,750 units DEFS10126				
565		N/A	IRS Form W-2s of Kurt Luporini for 2015–2016 DEFS08149; DEFS10888				

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566		3/18/2015	Employment Offer Letter and Non-Disclosure Agreement to Kurt Luporini DEFS01699 – DEFS01702				
567		N/A	Paystubs of Kurt Luporini				
568		10/4/2016	Separation and Release Agreement of Kurt Luporini DEFS09646 – DEFS09651				
569		N/A	IRS Form W-2s of Randall Dye for 2015-2016 DEFS08146; DEFS10871				
570		N/A	Paystubs of Randall Dye				
571		4/3/2015	Employment Offer Letter and Non-Disclosure Agreement to Randall Dye DEFS01692 – DEFS01695				
572		7/6/2016	Letter with Separation and Release Agreement of Randall Dye DEFS10131 – DEFS10147				
573		8/26/2016	Lenovo Employment Offer Letter to Mary Piehler LENOVO-ABSOLUTE00153 – LENOVO-ABSOLUTE00154				

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574		N/A	Lenovo IRS Form W-2s of Mary Piehler for 2016-2017 LENOVO-ABSOLUTE00207 – LENOVO-ABSOLUTE00210				
575		10/7/2011	Compensation Review Letter with additional documents to Mary Piehler DEFS00097 – DEFS00101				
576			Final Lenovo Paystub of Mary Piehler LENOVO-ABSOLUTE00206				
577		N/A	The Markov Model of Labor Force Activity 2012-2017 – Extended Tables of Central Tendency Shape Percentile Points and Bootstrap Standard Errors, Gary R. Skoog, James E. Ciecka, and Kurt V. Krueger, 2019				
578		10/12/2010	Employment Offer Letter with Non-Disclosure Agreement to Mary Piehler DEFS00068 – DEFS00071				
579		3/1/2021	Expert Report of Steven J. Shapiro, Ph.D.				
580		8/22/2016	FY16 Annual Merit Review for Joseph Morini DEFS10123				
581			The Employment Cost Index obtained from U.S. Department of Labor, Bureau of Labor Statistics, <a href="https://data.bls.gov/PDQWeb/ci">https://data.bls.gov/PDQWeb/ci</a>				



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582			2014 W-2s for Mary Piehler DEFS08155				
583		12/31/2014	Pay Statement for Mary Piehler P000152				
584		N/A	Solium Capital Report – Statement Period 6/1/2015 – 8/19/2015 P002209 – P002210				
585		N/A	Solium Capital Report – Statement Period 11/4/2010-07/06/2015 DEFS05598 – DEFS05600				
586			Form 1099 issued to Mary Piehler by Gerson Lehrman Group in 2019				
587	126	9/16/2015	Written Warning Letter from Todd Awtry to Amy Rathbun				
588		N/A	Commission Statements of Mary Piehler  DEFS07777; DEFS07776; DEFS07796 – DEFS007798; DEFS07795; DEFS07821; DEFS07818 – DEFS07820; DEFS07845; DEFS07843 – DEFS07844; DEFS07867; DEFS07865 – DEFS07866; DEFS07888; DEFS07886 – DEFS07887; DEFS07906; DEFS07904 – DEFS07905; DEFS07924; DEFS07922 – DEFS07923; DEFS07942; DEFS07940 – DEFS07941; DEFS07960; DEFS07958 – DEFS07959; DEFS07978; DEFS07976 – DEFS07977; DEFS07996; DEFS07994 – DEFS07995; DEFS08014; DEFS08012 – DEFS08013; DEFS08028 – DEFS08029; DEFS08027; DEFS08050; DEFS08048 – DEFS08049; DEFS08065 – DEFS08067; DEFS08088; DEFS08086 – DEFS08087; DEFS08100 – DEFS08101; DEFS08099; DEFS08122; DEFS08120 – DEFS08121				

Exhibit No.	Depo. Exhibit No.	Date	Exhibit Description	Marked for Identification	Admitted Into Evidence	Remarks	Witness
589		N/A	<b>Commission Statements of David Armstrong</b> DEFS08735; DEFS08741; DEFS08748; DEFS08754; DEFS08759; DEFS08764; DEFS07760; DEFS07758 – DEFS07759; DEFS07775; DEFS07773 – DEFS07774; DEFS07793; DEFS07792; DEFS07794; DEFS07817; DEFS07814 – DEFS07816; DEFS07842; DEFS07841; DEFS07840; DEFS07864; DEFS07863; DEFS07859; DEFS07885; DEFS07883 – DEFS07884; DEFS07903; DEFS07901 – DEFS07902; DEFS07921; DEFS07919 – DEFS07920; DEFS07939; DEFS07937 – DEFS07938; DEFS07957; DEFS07955 – DEFS07956; DEFS07975; DEFS07973 – DEFS07974; DEFS07993; DEFS07991 – DEFS07992; DEFS08011; DEFS08009 – DEFS08010; DEFS08022 – DEFS08023; DEFS08021; DEFS08047; DEFS08045 – DEFS08046; DEFS08059 – DEFS08061; DEFS08085; DEFS08083 – DEFS08084; DEFS08095				
590		N/A	<b>Commission Statements of Amy Rathbun</b> DEFS08733; DEFS08739; DEFS08745; DEFS08752; DEFS08757; DEFS08762; DEFS07753; DEFS07751 – DEFS07752; DEFS07769; DEFS07767 – DEFS07768; DEFS07785 – DEFS07788; DEFS07784; DEFS07809; DEFS07806 – DEFS07808; DEFS07836; DEFS07834 – DEFS07835; DEFS07858; DEFS07856 – DEFS07857; DEFS07879; DEFS07877 – DEFS07878; DEFS07897; DEFS07895 – DEFS07896; DEFS07915; DEFS07913 – DEFS07914; DEFS07933; DEFS07931 – DEFS07932; DEFS07951; DEFS07949 – DEFS07950; DEFS07969; DEFS07967 – DEFS07968; DEFS07987; DEFS07985 – DEFS07986; DEFS08005; DEFS08003 – DEFS08004; DEFS08031 – DEFS08032; DEFS08030; DEFS08041; DEFS08039 – DEFS08040; DEFS08068 – DEFS08070; DEFS08079; DEFS08077 – DEFS08078; DEFS08103 – DEFS08104; DEFS08102; DEFS08113; DEFS08111 – DEFS08112; DEFS09287; DEFS09245; DEFS09254; DEFS09297				
591		N/A	<b>Commission Statements of Art Robinson</b> DEFS08734; DEFS08740; DEFS08747; DEFS08746; DEFS08753; DEFS08758; DEFS08763; DEFS07757; DEFS07754 – DEFS07756; DEFS07772; DEFS07770 – DEFS07771; DEFS07789 – DEFS07791; DEFS07813; DEFS07810 – DEFS07812; DEFS07839; DEFS07837 – DEFS07838; DEFS07862; DEFS07860 – DEFS07861; DEFS07882; DEFS07880 – DEFS07881; DEFS07900; DEFS07898 – DEFS07899; DEFS07918; DEFS07916 – DEFS07917; DEFS07936; DEFS07934 – DEFS07935; DEFS07954; DEFS07952 – DEFS07953; DEFS07972; DEFS07970 – DEFS07971; DEFS07990; DEFS07988 – DEFS07989; DEFS08008; DEFS08006 – DEFS08007; DEFS0834 – DEFS08035; DEFS08033; DEFS08044; DEFS08042 – DEFS08043; DEFS08071 – DEFS08073; DEFS08082; DEFS08080 – DEFS08081; DEFS08106 – DEFS08107; DEFS08105; DEFS08116; DEFS08114 – DEFS08115; DEFS09873 – DEFS09909				
592		N/A	<b>Commission Statements of Warren Young</b> DEFS08737; DEFS08743; DEFS08751; DEFS08750; DEFS08756; DEFS08761; DEFS08766; DEFS07766; DEFS07764 – DEFS07765; DEFS07783; DEFS07781 – DEFS07782; DEFS07803 – DEFS07805; DEFS07802; DEFS07833; DEFS07830 – DEFS07832; DEFS07855; DEFS07853 – DEFS07854; DEFS07876; DEFS07874 – DEFS07875; DEFS07894; DEFS07892 – DEFS07893; DEFS07912; DEFS07910 – DEFS07911; DEFS07930; DEFS07928 – DEFS07929; DEFS07948; DEFS07946 – DEFS07947; DEFS07966; DEFS07964 – DEFS07965; DEFS07984; DEFS07982 – DEFS07983; DEFS08002; DEFS08000 – DEFS08001; DEFS08020; DEFS08018 – DEFS08019; DEFS08037 – DEFS08038; DEFS08036; DEFS08058; DEFS08056 – DEFS08057; DEFS08076; DEFS08094; DEFS08092 – DEFS08093; DEFS08109 – DEFS08110; DEFS08108; DEFS08134; DEFS08132 – DEFS08133; DEFS09936 – DEFS09956; DEFS09935; DEFS09957 – DEFS09969				

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593		N/A	Paystubs of Mary Piehler DEFS10770 – DEFS10784				
594		N/A	Paystubs of David Armstrong				
595		N/A	Paystubs of Amy Rathbun				
596		N/A	Paystubs of Art Robinson				
597		N/A	Paystubs of Warren Young DEFS10725 – DEFS10761; DEFS10940 – DEFS10958				
598	41	10/7/2011	Letter from John Livingston, John Sarantakes to Mary Piehler Re compensation review DEFS00085 – DEFS00087				
599	107	N/A	Mary Piehler Compensation Letters DEFS00030; DEFS00028 – DEFS00029; DEFS00022 – DEFS00027; DEFS00031; DEFS00038; DEFS00805; DEFS00039 – DEFS00041; DEFS01002				
600		N/A	Compensation and/or Promotion Letters for David Armstrong DEFS09466 – DEFS09467; DEFS08343; DEFS08341; DEFS08357				

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601		N/A	Compensation and/or Promotion Letters for Amy Rathbun  DEFS09535 – DEFS09536; DEFS08190 – DEFS08191; DEFS08201; DEFS08219; DEFS08238; DEFS09154; DEFS10149				
602	120	10/1/2015	Compensation letter to Amy Rathbun  DEFS09154				
603		N/A	Compensation and/or Promotion Letters for Art Robinson  DEFS09405 – DEFS09407; DEFS09431 – DEFS09432; DEFS08281; DEFS08302; DEFS08321; DEFS09158 – DEFS09159; DEFS10124; DEFS10072				
604		N/A	Compensation and/or Promotion Letters for Warren Young  DEFS09492; DEFS09506 – DEFS09507; DEFS09497 – DEFS09502; DEFS09511; DEFS08532 – DEFS08534; DEFS08554; DEFS08560; DEFS09171; DEFS10155; DEFS09813				
605	33	8/26/2016	Offer of employment letter from Robyn Richardson at Lenovo to Mary Piehler  P001785 – P001786				

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606	40	3/23/2015	Offer of employment letter from Thomas Kenny, Leigh Ramsden to Kurt R. Luporini DEFS00046 – DEFS00047				
607	42	4/3/2015	Offer of employment letter Thomas Kenny, Leigh Ramsden, to Randall (Randy) V. Dye DEFS00042 – DEFS00043				
608	47	7/2/2015	Offer of employment letter from Thomas Kenny, Leigh Ramsden to Joe Morini DEFS09142 – DEFS09143				
609		10/31/2008	Offer of employment letter for David Armstrong DEFS09474 – DEFS09475				
610		7/2/2007	Offer of employment for Amy Rathbun DEFS09521				
611		9/9/1998	Offer of employment for Art Robinson DEFS09354 – DEFS09355				
612		1/8/2015	Resignation Notice and Letter of Acceptance for David Armstrong DEFS08387 – DEFS08389				

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613		3/9/2017; 3/14/2017	Letter of Acceptance of Resignation Notice and Separation and Release Agreement for Amy Rathbun  DEFS10091 – DEFS10100; DEFS10074 – DEFS10078				
614		6/4/2015	Letter to Kurt Loporini regarding Commission Guarantee Period  DEFS00050; DEFS10127				
615		N/A	IRS Form W-2s of Mary Piehler for 2016  P001787				
616		10/6/2017	Joseph Morini Termination Letter with Separation and Release Agreement  DEFS10102 – DEFS10116				
617		N/A	IRS Form W-2s of Mary Piehler from Lenovo for 2017  P002223				
618		3/09/2018	Subpoena to Lenovo US				
619		4/05/2018	Letter from Womble Bond Dickinson to Laura Lestrade with Attached Excerpt from Document Production				
620		1/11/2013	2013 Absolute Organization Chart  DEFS07101 – DEFS07152				

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621		February 2015	2015 Absolute Organization Chart DEFS02955 – DEFS02964				
622		N/A	Quota Attainment Comparison Between Mary Piehler and Art Robinson (FY2012-FY2015)				
623		N/A	Average Female RD vs. Average Male RD OTE (FY2012-FY2015)				
624		N/A	On Target Earnings Comparison for Mary Piehler, Art Robinson, David Armstrong, Warren Young (FY2012-FY2015)				
625		N/A	Performance Rating Comparison Between Mary Piehler and Art Robinson (FY2012-FY2015)				
626		N/A	Sales Revenue Comparison Between Mary Piehler and Art Robinson (FY2012-FY2015)				
627		N/A	Absolute Sales Employee Demographics Chart				
628		7/1/2013	Absolute Employee Demographics DEFS09667 – DEFS09671				
629		7/1/2014	Absolute Employee Demographics DEFS09681 – DEFS09685				
630		7/1/2015	Absolute Employee Demographics DEFS09694 – DEFS09697				
631		7/1/2016	Absolute Employee Demographics DEFS09706 – DEFS09710				

**PLEASE TAKE NOTICE** that Defendants reserve the right to supplement this Trial Exhibit List as necessary and as required, up to the date of trial.

Dated: July 12, 2021

DORSEY & WHITNEY LLP

By: /s/ Laura M. Lestrade

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